

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 2809 of 1996

to

FIRST APPEAL No 2813 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.H.KADRI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

STATE OF GUJARAT

Versus

RANCHOD JINA

Appearance:

L.R. PUJARI, ASSTT GOVERNMENT PLEADER for Petitioner

CORAM : MR.JUSTICE M.H.KADRI

Date of decision: 03/02/97

ORAL JUDGEMENT

By means of this group of appeals under Section 54 of the Land Acquisition Act (hereinafter referred to as 'the Act') read with Section 96 of the Code of Civil Procedure, the State has challenged the common judgment and award dated November 21, 1994, passed by the learned Second Extra Assistant Judge, Gondal in Land Acquisition

Cases Nos. 279 of 1988 and 363 of 1988 to 366 of 1988.

In this group of First Appeals, the claims involved are of petty nature. It has been the consistent view of this Court including various Division Benches that claims in appeals under section 54 of the Act upto and about Rs.15,000/- are categorised as petty claims and the State ought not to prefer appeals from such petty claims, and if preferred, the same can be dismissed on this ground alone. In the instant case, the maximum additional compensation awarded to the claimants is Rs.5214/-. Therefore, there may not be any hesitation in holding that all these appeals have been preferred in respect of petty claims. Even otherwise, on merits, the market price determined by the learned District Judge is quite just and adequate.

In the result, these appeals have no merit, and the same are dismissed summarily.

(swamy)